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7 Attorney for Andy Phouphayry

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12  
13 Plaintiff,  
14 v.  
15 ANDY PHOUPHAYRY,  
16 Defendant.

Case No. 2:23-mj-00360-NJK

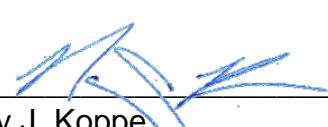
**UNOPPOSED MOTION TO  
WITHDRAW DEFENDANT'S  
WAIVER OF TEMPORARY RIGHT  
TO CUSTODY UNDER THE IAD  
(ECF NO. 9)**

17 1) On April 25, 2023, defense counsel inadvertently filed a Waiver of Temporary  
18 Right to Custody under the Interstate Agreement on Detainer's Act (IAD) on the defendant's  
19 behalf. As a prisoner already incarcerated in the state system, Mr. Phouphayry wishes to invoke  
20 his right pursuant to the "anti-shuttling" provisions of the IAD and remain in temporary custody  
21 in the federal system during the pendency of his federal prosecution. Defense counsel requests  
22 that the waiver be withdrawn. Mr. Phouphayry has no opposition.

23 2) Government counsel has no opposition to this request.

24 IT IS SO ORDERED.

25 Dated: April 27, 2023

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Nancy J. Koppe  
United States Magistrate Judge

1 DATED this 26th day of April, 2023.

2 RENE L. VALLADARES  
3 Federal Public Defender

4 By: */s/ Raquel Lazo*

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5 RAQUEL LAZO  
6 Assistant Federal Public Defender  
7 Attorney for Andy Phouphayry  
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